

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

BARRY L. LEMLEY, et al.,)

Plaintiffs)

vs.)

Case No. 7:06-cv-02076-HGD

LIBERTY TITLE COMPANY,)

LLC, et al.,)

Defendants)

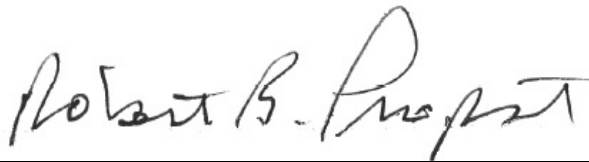
PARTIAL DISMISSAL ORDER

On April 21, 2008, the magistrate judge's report and recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the magistrate judge. On April 30, 2008, plaintiffs filed objections to the magistrate judge's report and recommendation. On May 13, 2008, defendant First American Title Insurance Company filed a response to plaintiffs' objections. On October 21, 2008, plaintiffs withdrew their objections to the report and recommendation.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge and it is, therefore,

ORDERED, ADJUDGED and DECREED that the Motion to Dismiss Plaintiffs' Amended and Corrected Class Action Complaint filed by defendant First American Title Insurance Company (Doc. #25) is due to be and hereby is GRANTED and First American Title Insurance Company is DISMISSED WITH PREJUDICE as a defendant from this action. The Motion to Dismiss filed by First American Title Insurance Company as to the original complaint (Doc. #10) is MOOT.

DONE this 22nd day of October, 2008.

A handwritten signature in black ink, reading "Robert B. Propst", is written above a horizontal line.

ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE